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JUL 20 2007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In Re Application of

Applicant : Allen Hall

Serial No. : 10/724,327

Filed : 11/28/2003

Examiner : Thuy Chan Dao

Art Unit : 2192

Entitled : System and Method for Performance  
Monitoring

Docket No. : SVL920030040US1

Mail Stop AF  
Commissioner For Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the following attached  
correspondence comprising 21 pages:

CERTIFICATE OF FACSIMILE TRANSMISSION	1 page
TRANSMITTAL	1 page
FEE TRANSMITTAL	1 page
AMENDMENT	18 pages

is being facsimile transmitted by me to the United  
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SHELLEY M BECKSTRAND

Date: 20 Jul 2007



PTO/SB/21 (09-08)

Approved for use through 03/31/2007. OMB 0651-0031  
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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/724,327

Filing Date

11/28/03

First Named Inventor

Allen Hall

Art Unit

2192

Examiner Name

Thuy Chan Dao

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Attorney Docket Number

SVL920030040US1

## ENCLOSURES (Check all that apply)

 Fee Transmittal Form Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Reply to Missing Parts/Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) \_\_\_\_\_ Landscape Table on CD After Allowance Communication to TC Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below):

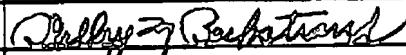
## Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Shelley M Beckstrand, Patent Attorney

Signature



Printed name

Shelley M Beckstrand

Date

20 Jul 2007

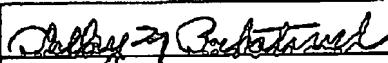
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24,886

## CERTIFICATE OF TRANSMISSION/MAILING

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Signature



Typed or printed name

Shelley M Beckstrand

Date

20 Jul 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (07-06)

Approved for use through 01/31/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2006 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2006

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

0

## Complete If Known

Application Number	10/724,327
Filing Date	11/28/2003
First Named Inventor	Allen Hall
Examiner Name	Thuy Chan Dao
Art Unit	2192
Attorney Docket No.	SVL920030040US1

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## METHOD OF PAYMENT (check all that apply)

 Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

 Deposit Account Deposit Account Number: 09-0460 Deposit Account Name: IBM Corporation

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

 Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES	
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissue	300	150	500	250	600	300
Provisional	200	100	0	0	0	0

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 (including Reissues)

## Small Entity

## Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

## Total Claims

## Extra Claims

## Fee (\$)

## Fee Paid (\$)

## Multiple Dependent Claims

## Fee (\$)

Fee Paid (\$)

- 20 or HP = 0 x = 0

HP = highest number of total claims paid for, if greater than 20.

## Independent Claims

## Extra Claims

## Fee (\$)

## Fee Paid (\$)

- 3 or HP = 0 x = 0

HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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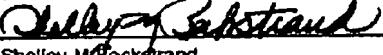
- 100 =	/ 50 =	(round up to a whole number) x	=	Fee Paid (\$)
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## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

## SUBMITTED BY

Signature		Registration No. 24,888 (Attorney/Agent)	Telephone 276-238-1972
Name (Print/Type)	Shelley M Beckstrand		Date 20 Jul 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**AMENDMENT AFTER FINAL**

Honorable Commissioner  
for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office action of 22 June 2007 by  
Examiner Thuy Chan Dao, designated Final, please amend the  
above-identified application as follows:

SVL920030040US1

1

S/N 10/724,327